



February 16, 2021

Marlene H. Dortch
 Secretary
 Federal Communications Commission
 45 L Street, NE
 Washington, D.C. 20554

Re: Comments on Use of E-Rate Funds to Support Remote Learning (WC Docket No. 21-31)

Dear Secretary Dortch,

On behalf of a coalition of school districts, county offices of education, transitional kindergarten–12 public school management associations, and nonprofit educational organizations, we respectfully submit our comments to expand the use of E-Rate program funds to support distance learning in order to ensure that California’s 6.1 million students and parents, educators and staff, have access to a high-quality and equitable educational system during this health pandemic.

Since a statewide “stay at home” order and school closures were announced on March 13, 2020, schools have been attempting to ensure students continue to receive instruction in these uncertain times. It was soon realized that the digital divide persists, leaving behind over 1 million California students.

The drastic measures required have included school districts taking on building of their own high-speed networks to ensure students in rural communities and financially disadvantaged regions have coverage, as demonstrated by Colusa County Office of Education, Kings County Office of Education, Tulare County Office of Education, and Riverside County Office of Education. However, the issues of **access, affordability, and reliability** have not been addressed, which will require shared leadership of the public and private sectors to **fund, build, and sustain** a connectivity infrastructure that eliminates persistent inequities.

Support modernizing the E-Rate Program Funding. As the Commission strives to meet its mandate to support schools and libraries to obtain affordable broadband services, it is imperative that the E-Rate program be modernized to allow sufficient flexibility for educational entities to provide critical learning instruction and services to our students in a digital manner, as we continue to navigate the effects of the COVID-19 pandemic and seek to ensure that every student has untethered opportunity to succeed. We recommend establishing a base rate of support that is sufficient for underprivileged families to secure access, and permit school districts and/or county offices of education to coordinate telecom sign-ups and, where appropriate, to pool funding for deployment of costly IT projects to support their LEAs.

We also urge recognition that school districts in regions that are not served by internet service providers should have access to E-Rate funding to target services and support for students with the most need for access.

Temporary relief strategies during the COVID-19 Pandemic. We support temporarily waiving the prohibition on the use of E-Rate funds and E-Rate-funded facilities and services to permit schools to extend their broadband Internet connectivity beyond school campuses to students who lack adequate Internet connectivity at home, waiving the requirement for cost-allocation of such off-campus use.

Support temporarily waiving E-Rate competitive bidding rules. When we pivoted to distance learning, California schools rapidly identified the need for connectivity and IT devices for our disadvantaged students and staff but recognized that many barriers to access are due to lack of connectivity infrastructure and resources. LEAs can leverage E-Rate program funds to expand the reach of their own broadband networks and procure internet services/hotspots to serve in our students' homes, which have now doubled as classroom spaces. We also agree with the request from Colorado and SHLB petitions that the Commission temporarily waive the competitive bidding rules and apply the existing E-Rate program record keeping requirements, as that will facilitate procurement of services as quickly as possible. We encourage the Commission to coordinate with telecommunications and internet service providers to assist in the build out of broadband infrastructure in regions with limited or no service, as a first step in recognizing the issues posed by the bidding process.

Support applying retroactive relief from fiscal year 2020. We recognize that demand for limited dollars will increase, but we believe that continued prioritization of regionally disadvantaged communities is critical to addressing access to necessary online resources. By allowing E-Rate program funds to be retroactively used for services and equipment purchased in funding year 2020, it will ensure LEAs can continue to serve additional students and staff with any remaining federal CARES Act funds or other available funding sources.

California public schools are committed to safeguarding every student and every educator, while ensuring that every community has the technological readiness and access to overcome the challenges related to COVID-19 and the digital divide. Anything short of this denies the opportunity to thrive to too many California students.

If you have any questions regarding this coalition letter, please do not hesitate to contact Sara Bachez, Chief Governmental Relations for the California Association of School Business Officials (CASBO) at sbachez@casbo.org.

Thank you!

Sara Bachez, Chief Governmental Relations Officer, California Association of School Business Officials (CASBO)

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